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6 **UNITED STATES DISTRICT COURT**
7 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

8 _____)
9 IN RE: BEXTRA AND CELEBREX)
10 MARKETING AND SALES PRACTICES)
11 AND PRODUCT LIABILITY LITIGATION)

MDL Docket No. 1699

Judge Charles R. Breyer

12 This document relates to:

13 **ERIC CARTEE, AS PERSONAL**)
14 **REPRESENTATIVE OF THE ESTATE**)
15 **OF CORDELIUS JONES,**)

CASE NO. 06CV4465

16 **Plaintiff,**)

17 **v.**)

18 **PFIZER, INC.,**)

19 **Defendant.**)
20 _____

21 **STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE**

22 **IT IS HEREBY STIPULATED AND AGREED** by and between counsels for the
23 Plaintiff and counsel for the Defendant that the Complaint of Plaintiff Eric Cartee, As Personal
24 Representative of the Estate of Cordelius Jones is hereby dismissed without prejudice:
25

26 1. Plaintiff is Eric Cartee, As Personal Representative of the Estate of Cordelius
27 Jones; Defendant is Pfizer, Inc.;

28 2. On July 21, 2006, Plaintiff sued Defendant;

3. Plaintiff moves to dismiss only his claims against Defendant;

4. Defendant has answered these claims;

5. This case is not a class action;

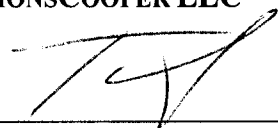
6. A receiver has not been appointed to this action;

7. Plaintiff has not dismissed an action based on or including the same claims as those present in this suit.

8. Should Plaintiff or a representative of Plaintiff attempt to refile their claims against Defendant, they shall do so only by filing in Federal Court.

Respectfully submitted:

SIMMONSCOOPER LLC



Dated: August 9, 2006

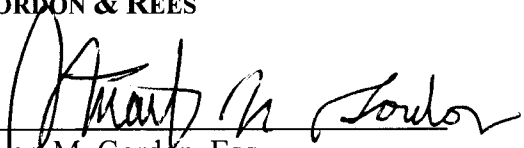
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Dated: August 15 2006


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Defendant's Liaison Counsel

PURSUANT TO STIPULATION, IT IS SO ORDERED THAT PLAINTIFF ERIC CARTEE, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CORDELIUS JONES' CLAIMS ARE DISMISSED.

Dated: August 18, 2006

THE HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

